

Researching Labor and Employee Relations Issues

Statutes And Regulations

Abbreviation	Full Name
Pub. L.	Public Law (before codified)
Stat.	Statutes at Large
USC	United States Code
USCA	United States Code Annotated
CFR	Code of Federal Regulations
FR or Fed. Reg.	Federal Register

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Reporters Containing Court Decisions

ABBREVIATION	FULL NAME	TYPE OF DECISION
U. S.	U. S. Reporter	Supreme Court
S. Ct.	Supreme Ct. Reporter	Supreme Court
F.2d	Fed. Reporter, 2d edit.	Circuit Courts Of Appeal, Others
F. Supp.	Fed. Supplement Reporter	District Courts, Others
F.E.P.	Fair Employment Practices Reporter	EEO Court Cases

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United States Code

- Slip Laws
 - Unbound version of law when first enacted
 - Heading contains Public or Private Law number, date of approval, and bill number
 - The Public Law number is assigned by the session of Congress in which it was passed and then sequentially (For example, Pub L 111-1 was the first public law passed by the 111th Congress.)

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STATUTES

- United States Code (USC)
 - Contains laws passed by Congress and signed by the President
- Get their power from the Constitution
- Reviewed by courts for constitutionality
- Provide for broad social and economic goals and legal requirements

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Regulations

- Code of Federal Regulations (CFR)
 - Rules of executive departments or agencies, e.g., the Department of Defense
- Must first seek public comment
- Issued by agencies
- Prescribe specific legal requirements to meet congressional goals
- Reviewed by courts to determine constitutionality, limits of delegated authority, and whether they are arbitrary and capricious

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Federal Register

- The regulations are first published in the Federal Register on a daily basis. They are then codified in the Code of Federal Regulations.
 - The regulations are published chronologically in the Federal Register. They are codified and arranged by title, then by chapter (one agency's regulations, such as Department of Defense) and finally by subject in the CFR.
- Go to www.gpoaccess.gov/fr.

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Code of Federal Regulations

- The CFR is divided into 50 titles, just like the United States Code
 - Some titles covering the same subjects are numbered the same in the CFR and in the USCA; others are not.
- Each title is divided into chapters, subchapters, parts, and sections.
- A regulation is cited by title, part, and section, e.g., 34 CFR Section 300.
- Go to www.law.cornell.edu and find 34 CFR Section 300.

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Code of Federal Regulations

- The soft-cover volumes of the CFR are issued each year in sets on a staggered, quarterly basis:
 - Titles 1– 6 are current through January 1
 - Titles 17 – 27 are current through April 1
 - Titles 29 – 41 are current through July 1
 - Titles 42 – 50 are current through October 1
- The color of each set of volumes is changed every year; a current full set may contain different colored volumes, depending on the time of the year.

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CFR Indexing

- Is a single volume
 - Revised annually
 - Index with subject entries and agency names in one listing
 - Parallel Table of Authorities and Rules
 - Listing of Agency-Prepared Indexes Appearing in Individual CFR Volumes

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Research Sources and Precedent

COURTS

- Supreme Court (controlling)
 - See www.supremecourtus.gov
- Courts of Appeals (controlling in circuit)
 - See www.ca4.uscourts.gov
- Federal Circuit & DC Circuit (influential)
 - Fed. Cir. at www.uscourts.gov/courtlinks
 - DC Cir. at www.cadc.uscourts.gov
- District Courts (EEO & mixed cases)

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Other Research Sources

- Reporting Services
 - Thomson-West, www.west-thomson.com
 - Labor Relations Press, www.lrp.com
- Internet-Based Systems
 - CyberFEDS, www.cyberfeds.com (subscription required)
 - Personnet – now part of Westlaw, www.westlaw.com (subscription required)
- www.law.cornell.edu
- www.findlaw.com
- <http://thomas.loc.gov>
- www.archives.gov/federal-register (Executive Orders)
- www.regulations.gov
- Black's Law Dictionary, www.west.thomson.com

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Research Methods

- Identify issues and topics
- General subject matter research, using reference texts
- Specific research using citation and statute trackers
- Research each issue using reporting systems or on-line systems

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Research Methods (continued)

- Note significant citations
- List quotes, citations, and page references by each specific issue
- Check to ensure decisions have not been modified or reversed

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Basic Case Citation Form

Tells you

- Who the parties were
- Where the decision is found
- Who decided the case
- When the decision was issued

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Basic Case Citation Form

PUBLISHED DECISIONS:

Case Name, Vol. Reporter Page (Deciding Body* Year)

EXAMPLE: Faragher v. City of Boca Raton, 524 U.S. 775 (1998)

SLIP OPINIONS:

Case Name, Case Number (Deciding Body* Full Date)

EXAMPLE: Faragher v. City of Boca Raton, No. 97-282 (S.Ct.
June 26, 1998)

*If not obvious from the reporter or case number

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Citations to Court Decisions

SUPREME COURT

- *Christensen v. Harris County*, No. 98-1167
(S. Ct. May 1, 2000)
- *Christensen v. Harris County*, 529 U.S. 576 (2000)
- *Christensen v. Harris County*, 120 S. Ct. 1655 (2000)
- *Christensen v. Harris County*, 529 U.S. 576, 578
(2000)

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Citations to Court Decisions

- *Young v. Hampton*, 568 F. 2d 1253 (7th Cir. 1977)
- *Boyce v. United States*, 543 F. 2d 1290 (Ct. Cl. 1976)
- *Yacavone v. Bolger*, 470 F. Supp. 777 (D.D.C. 1979)
- *Gelman v. Department of Education*, 29 FEP 926 (D.
Col. 1982)

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Citation to Administrative Decisions (continued)

FLRA ADMINISTRATIVE LAW JUDGE

- *Department of Treasury, Internal Revenue Service, Washington, DC and National Treasury Employees Union*, Case No. SF-CA-02-0320 (OALJ 03-11, December 27, 2002)

COMPTROLLER GENERAL

- 71 Comp. Gen. 522 (1992) (Published)
- B-271616, October 3, 1996 (Unpublished)

EEOC

- *Nuñez v. Potter*, EEOC No. 01990984 (May 31, 2002)